

# COBBETT'S WEEKLY POLITICAL REGISTER.

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## SUMMARY OF POLITICS.

### THE EMPEROR NAPOLEON.

Although the course of events has, for some time, belied the assertions made respecting Napoleon by his enemies, at and previous to his abdication, these vile calumniators have not been induced, by his overthrow, to relax in their vindictiveness. Formerly they told us that he was the cause, the sole cause, of all the misfortunes which afflicted Europe; but more particularly, that to him, and to him only, was to be attributed the existence, and the constant accumulation, of those enormous taxes and that immense load of debt with which the supporters of corruption have loaded the country. To Napoleon, it was said, we owed the stagnation of commerce, the ruin of our manufactories, the high price of provisions, the interruption of our national improvements, and the consequent and rapid increase of pauperism, which, like a mighty torrent, threatens to overwhelm the land. All this, and much more, we were seriously and unceasingly told, originated in the inordinate ambition, and unrestrained power, of this "sanguinary oppressor;" and as long as he was permitted to wield the sceptre of France, so long, we were confidently assured, would he continue to torment and afflict suffering humanity. It was by such representations as these; it was by a constant recurrence to them; it was by the sacrifice of truth, and the universal prostitution of the newspaper press, that nearly a general abhorrence was created of the character of Napoleon. Even a great proportion of his admirers, deceived by these imposing means, were gradually entangled in the vortex, and joined in the cry against him with as much good will as his most inveterate foes. Thus it was that corruption was able to strengthen itself, and that the means were obtained which effected the destruction of this supposed enemy to the human race.—It was natural for those who viewed Napoleon in that light, to contribute to his downfall, and against so formidable an accumulation of instruments as those employed to ac-

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complish this, it was not possible for any man to contend successfully.—But what has been the result of Napoleon's overthrow? for if there has been no change in our situation for the *better*; if the *people*, who were the most active in hostility against him, have gained nothing by his fall, and all the advantages that followed it are enjoyed by France *alone*, it was surely worse than madness in us to make so many sacrifices to bring about an event, which, in so far as regards ourselves, has been attended with no beneficial results. Now, without going at all into the question about the continuance of our war taxes, of our war, naval and military, establishments, and of the loan system; without adverting to the obstacles which exist, and, I am afraid, will always exist, to a restoration of our commerce, to the encouragement which our manufactures were in use to receive, and to the revival of national improvements; each of which afford a melancholy and striking proof, that the fall of Napoleon has not brought with it any of those blessings which the nation were promised. Without, I say, referring at present to any of these topics, it appears very clear to me, from the manner in which the supporters of corruption still speak of Napoleon, that even they themselves are convinced they were formerly deceiving the public: that they were using the *name* of Bonaparte as a stalking-horse, to support the corrupt system by which they profit; and that they well knew, whoever governed France, that that nation would be great and powerful, and able to maintain a preponderance on the Continent, which would always serve as a check to any meditated designs of aggrandizement there, on the part of this country. They also knew, that France, by her exclusion from the rest of Europe for twenty years, must have rendered herself independent, by her internal means, of those articles which formerly constituted the sources of our commercial wealth, and national greatness. Whether, therefore, it was a Bonaparte or a Bourbon who reigned in France, those men, who constantly and audaciously decried the for-



mer; who were always telling us that Europe would be happy if Napoleon's power was broken, were fully aware that what we used to consider happiness, was gone for ever—that it would be impossible, by any change of rulers in France, to make things here what they were, when we so inconsiderately made common cause with the Allied Powers against the French nation. The object of these base writers was the degradation of France. They wished her to be completely conquered, her territory circumscribed, if not altogether dismembered, and the ancient order of things restored, which gave despotic sway to the nobles and the clergy. Calculating upon this result, they gave loose to the most infamous and unfounded calumnies of Napoleon. They called him all sorts of names; they unceasingly vented their spleen and rancour against him, because they found in him talents sufficient, with the assistance of the French people, to make France respected. This, and this alone, was the cause of all the abuse which was lavished, by these hireling newswriters, upon the name of Napoleon Bonaparte.—Had these men been capable of learning a lesson from experience, they would have frankly acknowledged that the result had disappointed them, and that causes existed, independent of the existence of Napoleon, why this country cannot get rid, even by the return of peace, of the load which oppresses her. But this would be telling too much; it would not be a mere acknowledgment of error; it would unavoidably lead to a development of that system of corruption, by which the people of this country have been so long cajoled out of their senses, and out of their money; while it would dry up that source whence the conductors of the corrupt press of this country have received the reward of their prostitution.—This is a consummation, however devoutly to be wished for, which was not to be expected under the present order of things.—These tools of corruption find it much better calculated to promote their views, to resort to their former practice of abusing Napoleon, than to explain to the people the true reason why his downfall has not been attended with the advantages which were anticipated. This they consider an easy and cheap way of rendering the measures of corruption popular, and of diverting the public mind from the true causes of the dilemma into which those find themselves placed, who re-

lied on the specious promises of a pretituted press.—Accordingly, we find the *Courier* and the *Times* constantly teeming with scurrility and foul invective against Napoleon; perpetually holding him up as a villain, a monster, the curse and disgrace of the age; who, at one time, they recommend to be cudgelled, and, at another, hanged, for crimes which exist only in the brain of his infamous traducers. “By the bye (says the *Times*) we perceive it stated, that this fellow has the impudence still to call himself Emperor and King. This is an insult to the legitimate possessors of titles, for which he deserves to be CUDGELLED.” While one cannot help admiring the elegant language with which this honest writer expresses his feelings, it is not without some risk of incurring censure that I remark—if it is impudence in Napoleon to call himself Emperor and King, it will be somewhat difficult to discover the modesty of those Sovereigns who solemnly recognised his claim to these titles, even after his abdication, in the treaty of Fontainebleau. Our Prince Regent also, through Lord Castlereagh, was a party to that treaty, which, whatever may be said to pervert the obvious inference, put his name to a document in which Napoleon was designated an Emperor. If, then, the cudgell is to be used at all on this occasion, how is its application to these legitimate possessors of titles, to be dispensed with? Or rather, would it not be more consistent with justice, to apply the cudgell to the shoulders of this impudent scribbler? In another paper this barefaced writer observes, “that so long as that monster (i. e. Napoleon) lives, there will be no tranquillity for France, for Spain, for Italy, or for any other part of Europe.” Again, in speaking of America, he says, “This fellow Bonaparte will certainly go on until he is hanged. It is most ridiculous to suppose that this wretch will ever cease from his intrigues, whilst he has a hope of bribing any one to take up arms for him.”—It is impossible to read these passages, without execrating the individual who could thus recommend deliberate assassination; who could justify the murdering, in cold blood, even of our most determined enemy: Yet this is the writer who is constantly prattling about religion and morality, and who affects to deplore the depravity of the French people, not one of whom have been found depraved enough





to gratify the wishes of this hypocritical sycophant. This is the journalist too, who so very lately succeeded in working up the minds of the people of England to such a phrenzy, that, in many provincial towns, they disgraced themselves by *hanging* and *burning* the Emperor Napoleon in *effigy*. A correspondent informs me, that the people in Bolton, a manufacturing town in Lancashire, have since endeavoured to atone for this egregious folly. Like the inhabitants of many other respectable towns, they had permitted themselves to be hurried away by the popular clamour raised against Napoleon. The approach of the allied armies to Paris, had considerably increased the price of cotton goods, which, it had been said, could not find a market before on the Continent, owing to the anti-commercial decrees of the French Emperor; a statement which, it seems, the good people of Boston, like others in a similar situation, implicitly believed. When, therefore, Napoleon left the ground clear to his opponents, the Bostonians, for joy of an event, so conducive, as they thought, to their interest, and perhaps wishing not to be behind their neighbours in shewing their loyalty, prepared a wooden effigy of Bonaparte, which they hung upon a gallows, and afterwards burned, with the usual marks of disgrace attending a public execution. By and bye, cotton goods fell to the old price, in consequence of those manufactured in France occupying the market, which served as an outlet for our products. This had the effect of leading the inhabitants of Boston to revise their sentence against Napoleon, whom they now pronounced most innocent; raised his effigy from the grave; washed it from all the impurity which it had contracted in the earth; re-crowned it, and placed it in a situation where, as I have been assured, it is looked up to with respect, instead of terror and abhorrence. This shews that people are now returning to their senses; that the drunken fit, with which they were lately seized, is going off; and that they are beginning to exercise their own judgment, as to the cause of the distress and difficulties which every where present themselves. In fact, it did not require this example of the inhabitants of Boston to shew, that the public mind was dissatisfied with the manner in which the contest with France has terminated. Notwithstanding the recent shows and fetes, and the preparations still making for

similar amusements, in order to divert the attention from objects of more vital importance, a general apathy and indifference as to these matters, prevails amongst all ranks. Even those who used to be the most forward and the most clamorous against Napoleon, now begin to acknowledge that they have been deceived, that too much stress was laid upon his overthrow, and that, in many points, they are satisfied his character has been unjustly impeached. This is language which I hear almost every day from the lips of individuals who were unceasing, before the abdication of Napoleon, in justifying all the abuse that was thrown out against him, and many of whom did not hesitate to avow that they could with pleasure be his executioner. To what can such a change be ascribed? To the disappointment, evidently, which the fall of Napoleon has occasioned, and which has led his bitterest enemies to examine the charges brought against him with coolness, instead of contemplating the object of their antipathy through the medium of a vile, prostituted, and servile press. These results lay the foundation of a well grounded hope, that people in general are in reality beginning to think for themselves.—Should this turn out the case, to the extent which, I am sure, every honest man would wish, the day may not be far distant when the abominable tools of corruption, who have so long polluted the channels of useful and correct information, shall be put down, and corruption itself compelled for ever to hide its pernicious head.

LORD COCHRANE.—Agitated as the public is in the discussion of one of the most important questions that ever came before them, I believe the reader will feel peculiarly interested in the debate of Tuesday night, in the House of Commons, respecting this nobleman. The question, be it always remembered, is not one between one party and another:—It is a question between corruption and integrity, whether power shall overwhelm an honest, upright, brave, indefatigable, servant; or whether the people shall interpose their voice to save a gallant and deserving officer from destruction? This is the view I have ever taken, which I shall ever take, of the subject. Of the evidence on the trial, I have always held but one opinion. It was, setting aside the charge of the Judge, as I thought, and as every one



thought with whom I have ever talked about it, wholly inconclusive. Alderman Wood has since declared, that had the Jury heard the *post facto* evidence, they would not have convicted his Lordship. Had I had the evidence as it stood, and been one of the Jury, I should have found his Lordship innocent; for, on a triple reading of that evidence, I find nothing to implicate his Lordship. There breathes not on earth that man who loves freedom and the right of trial by juries higher than I do. There is not under heaven one who aspirates his morning devotions for the welfare of his country, with more sincerity than I do; but as I lift my hands to heaven, and implore the protection of God upon my family, I cannot forget the cause of injured innocence.—I cannot forget Lord Cochrane.—On the nature of circumstantial evidence, I beg to offer a few remarks.—*First*, it obtains consequence from the links, the *dove-tailing* (if I may be allowed the expression) of transactions. It is not one or two insulated facts that would lead me to return a verdict of guilty or innocent against any individual. I must have the chain of evidence so connected, as to leave no doubt upon my mind; and I must have it so clenched in, as to leave no possibility of supposing one part false and another true.—*Secondly*, the character of the witnesses must be of such a kind, as to leave suspicion a day's march behind; especially if their testimony is to be contrasted with the declaration of an hitherto honest, unimpeached, open, generous character. Reader, apply these remarks to the case of my Lord Cochrane, and recollect that his case might, by the intervention of villainy, be your own; and, after reading the evidence carefully, put your hand upon your breast and say, if either the nature of the circumstances, or the character of the witnesses, would warrant you to pronounce a sentence of guilty? If not, and you will observe much use has been made, in the House, of an *if*, (an excellent legal *quit gate*); if not, let me put one or two questions more. Is there, or is there not, some appearance of vindictiveness in the sentence? Is there, or is there not, an appearance of meanness and timidity in remitting that only part of the punishment, which would have given the public an opportunity of expressing their opinion—not on the services of Lord Cochrane—these have been long known and valued;

but on the innocence, the unsullied honour and integrity, of one of the first naval chieftains of his day; one, whom we have occasion to know, is regarded in the fleet, as the only rightful successor to the perils of a Nelson, which Basque Roads can witness he has never shrunk from.—Dear, dear to British hearts is bravery, serving in support of their country. One thing only is dearer still: oppressed heroism suffering in the same noble cause. Could any thing add to Sir Francis Burdett's hard well-earned fame, it would be the part he has taken in the cause of his illustrious co-patriot. It has done equal honour to his head and to his heart. His speeches have been transcendantly eloquent; his conduct beyond praise. Would we could say the same for all who term themselves Whigs? Entrenched behind the technicalities of Parliament, they have slunk from meeting the question on its broad basis of *moral justice*. In the name of the eternal God of Justice, I would ask, what have modes or forms to do with this unalterable rule of conduct? Must a man get an order from a magistrate to break open his neighbour's door, if he sees his house on fire and wishes to save it? or, must a House of Commons get an Act of Parliament, before they can interfere to save one of their own members from destruction? Terrible alternative. It is, however, some consolation, that constituents labour under no such restrictions; and to the immortal honour of the Electors of Westminster, they have given, what their country anticipated, an unanimous verdict of acquittal to the Noble Object of persecution. It may not, perhaps, be improper in concluding, to remark, what has been often and well observed, that the voice of the public must ultimately triumph; and, as Sir Francis Burdett noticed, the unbought, unbribed Electors of Westminster may be considered as having done for their country a great act of NATIONAL JUSTICE.

ARISTIDES.

#### LAW OF CONSPIRACY.

SIR,—Previously to the judgment given by the Court of King's Bench, in the case of Lord Cochrane and others, I had committed to writing the substance of the following observations with respect to the nature of the crime alledged against these parties, having erroneously (as it now turns out) formed an opinion, that a conspiracy to raise the price of the Funds,



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was not an offence recognised by the common law of the land.—The late Judge Blackstone, in the 3d section of his first Book of Commentaries, p. 63, says, "The municipal law of England is divided into two kinds: the *lex non scripta*, the unwritten or common law; and the *lex scripta*, the written or statute law.—When I call (says he) these parts of our law *leges non scriptæ*, I would not be understood as if all those laws were at present merely oral, or communicated from the former ages by word of mouth. It is true, indeed, that in the profound ignorance of letters which formerly overspread the whole western world, all laws were entirely traditional, for this plain reason, because the nations among which they prevailed had but little idea of writing. Thus the British, as well as the Gallic Druids, committed all their laws as well as learning to memory; and it is said of the primitive Saxons here, as well as their brethren on the Continent, that *leges sola memoria et usu retinebant*. But with us, at present, the monuments and evidences of our legal customs are contained in the Records of the several Courts of Justice, in Books of Reports and Judicial Decisions, and in the Treatises of learned Sages of the profession, preserved and handed down to us from the times of highest antiquity. However, I therefore stile these parts of our law *leges non scriptæ*, because their original institution and authority are not set down in writing, as Acts of Parliament are, but they receive their binding power, and the force of laws, by long and immemorial usage, and their universal reception throughout the kingdom.—Our antient lawyers, and particularly Fortescue, insist, with abundance of warmth, that these customs are as old as the primitive Britons;" and in a subsequent sentence, p. 64, Judge Blackstone informs us, that these customs were compiled by King Alfred, in a book, for the general use of the whole kingdom. "This book (says he) is said to have been extant so late as the reign of King Edward IV., but is now unfortunately lost. It contained, we may probably suppose, the principal maxims of the common law, the penalties for misdemeanours, and the framer of judicial proceedings."—In a subsequent part of the same chapter, p. 69, he says, "That the common law is now become a permanent

"rule, which it is not in the breast of any Judge to alter or vary from, according to his private sentiments, he being sworn to determine, not according to his own private judgment, but according to the known laws and customs of the land, not delegated to pronounce a new law, but to maintain and expound the old one."—Seeing this definition of the common law by Judge Blackstone, which corresponds with Sir Matthew Hale, and other celebrated writers on the same subject, it appeared to me very improbable, that, in a code of laws compiled in the reign of King Alfred, there should exist one against conspiracy to raise the price of the public funds, which were not created for eight centuries afterwards, unless the legislators of old had been endued with the faculty of prophecy as well as law-making; and, indeed, it appeared to me rather extraordinary why legislators of a modern date should (but which they have not done), pass a law of a similar import. The public funds are annuities granted by Parliament in consideration of certain sums advanced to Government; and whether the Throne of France be filled by a Bonaparte or a Capet, or whether a tri-coloured or a white cockade be worn by the military of that country, can make no difference whatever in the payment or receipt of these annuities. Any holder of 100*l.* in the 3 per cents. will, as long as the Government remains solvent, receive a half-yearly payment of 30*s.* at the Bank of England; and this annuity being a fixed sum, and payable during a fixed duration, is not of a fluctuating but of a definite value, capable of ascertainment to the most minute fraction by the rules of arithmetic; the ideas of stock-jobbers on this species of property can no more alter its real and intrinsic value than those of a virtuoso on a piece of rare British coin. A Queen Anne's farthing, however it may be estimated by the curious, is not, in a legal sense, of any greater value than the fourth part of a penny.—Having ascertained from the highest law authorities what the common Law is, let us see what these same authorities say on the subject of conspiracy. Sir Edw. Coke, in his third Institute, thus defines it: "Conspiracy is a consultation and agreement between two or more to appeal or indict an innocent person falsely and maliciously of felony, whom accordingly they cause to be indicted or appealed, and afterwards the party is lawfully ac-



"quitted by the verdict of twelve men." And by an act passed in the 33d year of King Edward I. the Parliament has thus defined it: "Conspirators are they that do confederate or bind themselves, by oath or other alliance, that every of them shall aid and bear the other falsely and maliciously to indict, or cause to indict, or falsely to move or maintain pleas, and such as retain men in the country with ——— or fees to maintain their malicious enterprizes, and this extendeth as well to the takers as to the givers; and stewards and bailiffs of great lords, who, by their office or power, undertake to bear or maintain quarrels, pleas, or debates that concern other parties, than such as touch the estate of their lords or themselves."

This is the parliamentary exposition of the crime of conspiracy; and one would wonder, after such an exposition, how it could be extended. Sir Wm. Blackstone, in his 4th volume of Commentaries, p. 136, defines it in the terms of Sir Edw. Coke: "A conspiracy also to indict an innocent man of felony falsely and maliciously, who is accordingly indicted and acquitted, is a further abuse and perversion of public justice, for which the party injured may either have a civil action by writ of conspiracy; or the conspirators, for there must be at least two to form a conspiracy, may be indicted at the suit of the King." This is the whole definition; by that learned author, of conspiracy, although his book was originally written in the present reign, and underwent several amendments to the time of his decease, about 35 years ago.—Now, from the recent judgment of the Court of King's Bench, to whose authority we bend with every due submission, it would appear, that either Sir William Blackstone, Sir Matthew Hale, and other law writers, must have been egregiously mistaken in their ideas of common law, or otherwise they must have been grossly ignorant of what that law was with respect to the crime of conspiracy.—Perhaps in the recent endeavours to preserve the public records, the lost book compiled by King Alfred may have been found, and it might possibly contain a law imposing the punishment of fine, imprisonment, and pillory, on those who conspire to raise the public funds.—Should this be the case, it would be a curious and valuable record to the antiquarian, as well as the lawyer; for it

would prove the funding system to be of very remote origin, and we shall, perhaps, be informed by some of the learned, that the word *omnium*, as well as *per cent.* is unquestionable proof of its existence at the time the Romans were in possession of this country. How this may be I do not take on myself to discover. All I can say is, that having once entertained erroneous opinions, I should be happy if you, or any of your correspondents, would convince me by fair and solid reasoning in what respect I have been so egregiously mistaken.

X. Y.

REVISAL OF THE LAWS.—A petition to both Houses of Parliament, in name of "the Householdors, Traders, and other Inhabitants of the Cities of London, Westminster, the Borough of Southwark, and parts adjacent;" has been some time handed about, in the above places, for signatures. It states, "That your Petitioners have long suffered, and are now daily suffering, great inconveniences, heavy losses of property, and distressing insecurity of personal liberty, from the great and general abuses in the Administration of our common and civil Laws.—That the unexampled perversions of our political and civil institutions, both in principle and practice, are, to a considerable extent, at once the causes and the effects of our innumerable and lamentable failures in trade, and awful increase of pauperism; they fill our crowded jails, bethlems, and work-houses, cause idleness, despondency, and misery, among our once industrious poor; they multiply frauds, conspiracies, perjuries, oppressions, exactions, robberies, and murders, and every other crime and calamity, that can degrade and afflict a country. These are facts now too well known to all experienced men, to need the particularising of any examples, proofs, or comments.—That the peculiarly degrading and perilous condition of the numerous classes of Traders, and others who are subject to the Excise Laws and Assessed Taxes; your Petitioners humbly recommend to legislative attention, as by various new and vexatious statutes, passed in the present Reign, some taking away rights and other inflicting great wrongs; and the present unconstitutional and dangerous practice of the inquisitorial courts, which now preside over these branches of the public revenue, a very considerable portion of his Majesties Subjects, are not only placed beyond



the pale of the Constitution, but their property is exposed to the wildest ravages of unbridled power, without a chance of escape, legal defence, or legislative redress. These facts will, if necessary, be proved at the Bar of your Honourable House, by a multitude of recent examples and well authenticated cases.—Your Petitioners therefore humbly and earnestly pray, for the immediate revisal, simplification, and radical reformation of our civil code; and that it may, in an authorised and legal form, be committed to writing and printing, after the present manner of other civilized nations.—Your Petitioners are well persuaded, that greater cruelty and injustice cannot be inflicted upon the people of a populous and trading Country, than by attempting to govern them with laws, which they have not constitutionally sanctioned, and do not understand. Your Petitioners likewise humbly pray, that an inquiry into the official conduct of the Commissioners of Assessed Taxes, and Excise, may be instituted; and that we the undersigned, and all our fellow subjects, may be restored to the constitutional protection of the genuine chartered law of this land; which most solemnly covenants and declares to us, that "justice shall in no case be denied nor delayed." This only, but nothing short of the restoration of this sacred bond, both in letter and spirit, do we now crave as the natural or divine right of all and every class of the British and Irish people.—And your Petitioners will pray.

At a Meeting held at the Thatched House Tavern, on Friday, July 8. 1814, it was resolved unanimously, "That the Inhabitants of these Islands have now arrived at that stage of civilization and mental improvement, as to render it essential to their permanent prosperity, to be made acquainted with the fundamental principles and practised forms, of that system of national law intended to govern and protect them. It is, therefore, the duty of every rational and honest man, in defence of himself, his kindred and posterity, to step forward in aid of that enlightened and humane Senator, Earl Stanhope, in the Upper House of Parliament, to stay the ravages of that blind and cruel stem of perverted law now in practice in this country, and to forward a Constitutional application by petition to the Legislature, to obtain a printed CIVIL CODE OF LAWS, on the principles of equity, recognized by the Great Charter of English-

men's Rights; and conformable to the general usage of the present times, and examples of other civilized nations. And that a subscription be opened, to defray the expence of petitioning both Houses of Parliament on this important subject."

#### AMERICA.

MR. COBBETT.—Sir—I have been astonished, of late, to hear some disaffected people attempt to defend the conduct of the American Government, in having the presumption to go to war with us,—with us, Sir, who have all along treated them with so much lenity and forbearance. In the first place, Sir, if Bonaparte chose to pass nonsensical decrees, which he well knew he had *not* the power to enforce, it would have been tameness in us to have been behind hand in passing decrees which we *had* the power to enforce; and, accordingly, we issued those famous Orders in Council, which will long remain a monument of the profound wisdom and policy of the restricting Minister, Spencer Perceval! By these Orders, wherever we met with American ships, we most condescendingly conducted them into our own ports, merely to prevent them falling into the hands of Bonaparte.—Now, although this was done in the true spirit of kindness, yet these strange Republicans would never be convinced that it was done solely with a view to their benefit. They had the impudence to say that we were acting like pirates; and so blind to their true interest were they, that nothing would satisfy them but to pass Non-importation Acts, and to go to war with us! Some how or other, these Orders, planned as they were with wisdom, acted like an overcharged gun, by recoiling upon ourselves.—Our manufacturers found, that the loss of the American market, which used to take thirteen millions worth of their goods yearly, somewhat affected their prosperity; and they loaded the table of the House of Commons with petitions, stating, that they were starving in consequence of the loss of the American trade. These petitions, and the *luminous* and *voluminous* proof taken in support of them, had the effect of inducing Mr. Perceval, with the *best* grace possible, to assent to the rescinding of those famous Orders, *equally* admirable for their justice and wisdom.—Well, all reasonable men thought, that after this proof of our condescension, these Republican dogs would have been satisfied. But, no such thing!



They had the unaccountable presumption to say, that we should not, in searching their ships, take away those who we thought were British subjects, without proving that they were so! And, as we were not so foolish as to give up this point, to war with us they went. Now, Sir, could any thing be so unreasonable as their conduct? Let us make the case our own, and then their unreasonableness will be apparent.—Suppose, that an American frigate is stationed in St. George's Channel, and that she brings to a British merchantman, and sends a midshipman on board to examine her.—The *mid* sees a man on board, who he thinks is an American. "No, by Jasus," says Paddy, "there you're wrong now, for I was born at Ballynabog, and my father and mother can both testify it, only they're dead and gone."—"Damn the fellow," says the *mid*, "he is speaking like an Irishman, for to make believe; but I know he's an American; I have seen him at New-York; so come along you dog."—Now can any thing be more proper than this? The man *may* be an American, and who can be so good a judge in these matters as a midshipman? If, after all, the man should really be an Irishman, he will be no worse of cruising about for half a dozen years in a trim frigate, and will have the advantage of seeing the world.—These are arguments which I have repeatedly heard used by those who should know best; and it is certainly very perverse in the Americans not to be convinced by them. What can we do then? We must use *iron* arguments with them, and thus convince them whether they will or not.—It is true, this forcing conviction upon them will put us to a vast additional expence; but *that* is a thing we have been pretty much used to of late; and nobody will grudge continuing to pay the Income Tax, when they see it expended in support of what, the Ministry assures us, are the maritime rights of Great Britain; and on which, they likewise tell us, our existence, as a nation, depends.—You, Mr. COBBETT, have been among the Yankees. Pray write a friendly letter to Jonathan, advising him to give up the point; advise him, as a good woman in this country once advised her husband, who had been condemned by one of our petty tribunals to be hanged, but who had barricaded himself into the prison, so that they could not get at him;—"Oh, Johnny," said she, "come

"out and be hanged, and dinna anger the Laird."\*—Yours,  
G. K.  
Strathmore, July 11, 1814.

\* The Squire.

STATE OF FRANCE.—I have inserted below the *Exposé*, relative to the state of the French Empire, which, in imitation of Napoleon, the King of France has thought proper to publish. If the statement contained in that document is to be regarded as true; if the French treasury is in that exhausted state which it represents; if the provinces have been so much depopulated as is there set forth; it must occur to every reflecting mind, that it would have been much better to have allowed Napoleon to go on in his mad career, than to have wasted so much blood and treasure, as the Allied Powers have done, to accomplish his overthrow; for if, I say, this report is *true*, it was utterly impossible the French Emperor could go on, for any length of time, at the rate he was pursuing. In a very few years, perhaps months, he must have given way to the difficulties which pressed around him; he must have fallen amidst that ruin, which his boundless ambition had brought upon the French Empire. We are told by the *Times* newspaper, that the annual *Exposé* of Napoleon was a tissue of lies, and that it was well known throughout all Europe that the French ruler had ruined the country. Where, then, was the necessity of taking up arms, to destroy the power of a man, which had already so much declined, and the final termination of which was hourly accelerated by his maddening projects? Where was the policy of inflicting so many unheard-of-miseries on the people of the Continent, by exposing them to all the horrors of war, to subdue an enemy whose almost immediate fall was anticipated as certain? and where was the propriety of involving this country in so many pecuniary embarrassments, to counteract a system which already carried in its bosom the seeds of its speedy dissolution?

PARIS, JULY 13.

CHAMBER OF DEPUTIES, JULY 12.

The Abbe de Montesquieu, Count Dessoles, and M. Ferrand, Ministers of State, having been introduced, the following *Exposé* of the State in which his Majesty found the kingdom was laid before the Chambers:—M. L'Abbe MONTESQUIEU.—Gentlemen, his Majesty, on resuming the reins of Government, was desirous to make known to his people the state in which he found France. The cause of the misfortunes which



overwhelmed our country has disappeared, but its effects remain; and even under a Government which will devote itself solely to reparation, France will long suffer under the wounds inflicted by a Government which gave itself up to the business of destruction. It is necessary, therefore, that the nation should be informed both of the extent and the cause of its misfortunes, in order to be able to set a due value upon, and to second the cares which are to soothe and retrieve them. Thus enlightened upon the extent and nature of the mischief, it will be required only to participate in the labours and exertions of the King, to re-establish what was not destroyed by him, to heal wounds not inflicted by him, and to repair wrongs to which he is a stranger.—War, without doubt, was the principal cause of the ills of France. History presented not any example of a great nation incessantly precipitated against its will into enterprises constantly increasing in hazard and distress. The world saw with astonishment, mingled with terror, a civilised people compelled to exchange its happiness and repose, for the wandering life of barbarous hordes; the ties of families were broken; fathers have grown old far from their children; and children have been hurried off to die 400 leagues from their fathers. No hope of return soothed this frightful separation; habit had caused it to be regarded as eternal; and the peasants of Brittany, after conducting their sons to the place of separation, have been seen to return to their churches to put up for them by anticipation the prayers for the dead! It is impossible to estimate the horrible consumption of men by the late Government; fatigue and sickness carried off as many as battle; the enterprises were so vast and so rapid, that every thing was sacrificed to the desire of ensuring success; there was no regularity in the service of the hospitals—none in providing subsistence on the marches: the brave soldiers, whose valour constituted the glory of France, and who gave incessantly new proofs of their energy and patience, sustaining the national honour with so much brilliancy, saw themselves deserted amidst their sufferings, and abandoned, without resource, to calamities which they were unable to support. The goodness of the French was insufficient to supply this cruel neglect, and levies of men, which, under other circumstances, would have formed great armies, disappeared in this manner, without taking part in any engagement. Hence arose the necessity of multiplying levies without number, to replace incessantly by new armies the almost total annihilation of the armies preceding. The amount of the calls ordered since the end of the Russian campaign is frightful—

11th January, 1813.....	350,000
3d April—Guards of Honour.....	10,000
First batt. of National Guards..	30,000
Guards for the coasts.....	90,000

21th August—Army of Spain.....	30,000
9th October—Conscription of 1814, and preceding years.....	120,000
Conscription of 1815.....	160,000
15th Nov. Recall of years 11 to 1814..	300,000
Jan. 1813—Officers of Cavalry equipped	17,000
1814..Levies en masse organised.....	143,000
	<hr/> 1,300,000

Fortunately these last levies could not be fully executed. The war had not time to cut off all those who had joined the standards. But this simple statement of the requisitions, enforced on the population during a period of from 14 to 15 months, suffices to give an idea of what the losses of the nation must have been during the last twenty-two years.—Many causes contributed, however, to repair these losses: the improvement of the condition of the inhabitants of the country by the division of the great landed properties, the equal distribution of inheritances, the progress of vaccination, were the most powerful. It was by means of the influence of these causes, and by exaggerating their success, that efforts were made to hide from the nation the extent of its sacrifices. The greater the number of men that were snatched away from France, the more studiously was endeavoured to prove that she courted this frightful destruction. But even if the accounts placed under view have been correct, the only result would have been, that the number of births should cause the number of deaths to be regarded with indifference! But another argument was to point out, even in the conscription itself, a source of increasing population—an impure source which introduced disorder and immorality into marriages concluded with precipitation and imprudence. Hence a multitude of unfortunate families of ridiculous or indecent connections, so that even many men of the lower orders soon became weary of what they had embraced only to shelter themselves from the conscription, threw themselves once more in the way of the dangers they had sought to avoid, and offered themselves as substitutes, to escape misery which they had not foreseen, or to break ties so ill asserted.—How, besides, overlook the reflection, that although by multiplying these deplorable marriages, the conscription should have increased the number of births, it took annually away from France a great number of those full grown men who constitute the real strength of a nation. Facts prove clearly the truth of so natural a consequence. The population under the age of twenty years increased; beyond that limit the diminution was prodigious and incontestable.—Thus, while the Government attacked the sources of the national prosperity, it displayed incessantly in pompous array those remnants of resource that maintained a struggle against its wasteful measures; it studied to conceal the evil which it did, under the good, not of its own production, which was yet undestroyed. Master of a country, where long labours had amassed



great treasures, where civilization had made the happiest progress, where industry and commerce had, for the 60 previous years, made a wonderful spring; it seized all the fruits of the industry of so many generations, and of the experience of so many ages, at one time to promote its pernicious designs, and at another to cover the sad effects of its influence. The simple account of the present state of the realm will immediately exhibit the inherent prosperity of the nation struggling against a destroying principle, incessantly attacked, often struck with terrible wounds, and perpetually drawing from itself resources always insufficient.

#### MINISTRY OF THE INTERIOR.

Agriculture has made real progress in France, this progress commenced long before the Revolution: since that epoch, new causes have accelerated its march, and these causes would have produced effects still more important, if destructive events had not diminished their influence. The propagation of good modes of agriculture by learned societies, the residence of a number of rich proprietors in the country, their experiments, their instructions, and examples, the erection of veterinary schools, produced the most happy effects in many branches of rural economy: but the errors and the faults of Government opposed continual obstacles to their development. The continental system caused enormous losses to the proprietors of vineyards: in the south of France many vineyards have been rooted up, and the low price of wines and brandies discouraged this branch of culture generally. [Here the Report states the effects produced by the forced attempts to introduce the Merino breed of sheep. It cost the Government 20 millions, but in consequence of the numberless and harassing orders addressed on the subject to the sheep masters, many of them renounced their flocks altogether, and the breed of sheep had been rather deteriorated by attempting to force the Merino cross into too hasty and unsuccessful use.] The establishments of studs had been more successful.—Formed at first by the old Government, they had been destroyed by the Revolution, and were not completely restored till 1806, when six studs were organized, besides 30 depots of stallions, and studs of experiment. The breed of horses, until the fatal years 1810 and 1813, was excellent, and afforded numerous cavalry. The loss of a few months, in these years, amounted to 230,000 horses, to be replaced at an expence of 105,200,000 francs. The stock was of course exhausted. Every horse cost the Government at the rate of 400 or 460 francs.—The mines in France have very sensibly increased. Our territory now presents 478 mines of every different kind now working, which employ 17,000 workmen, and produce to France a raw material to the value of 26,800,000 francs, and to the State a revenue of 251,000 francs. This revenue was ap-

propriated to the payment of the administration of the mines. But this particular fund, which on the 1st of January last amounted to 700,000 francs, was employed by the Government in defraying the expences of the war. Yet in the midst of these continual vexations, this changeable and tyrannical legislation, our fields have been cultivated, our mines worked, and our flocks even preserved and ameliorated. Certainly nothing more evidently proves the industry of our nation, and its happy disposition for the first of all the arts, than the progress of its agriculture under an oppressive Government. The labourer was torn from the soil by the conscription, his little gains were devoted to purchase substitutes, the produce of his labours was the subject of endless requisition; but such is the superiority of our soil, and the industry of our cultivators, that agriculture will arise from its ruins, and become more prosperous than ever under the paternal Government which will terminate its calamities.—Manufacturing industry has much need to recover the same liberty. Mechanics and chemistry, enriched by numerous discoveries, and skilfully applied to the arts, had enabled it to make rapid progress; the continental system, by compelling manufacturers to search, on our own territory, for resources previously unknown, produced some useful results; but the obstacles which it opposed to the introduction of a great number of raw materials, and the want of competition which it occasioned, have raised beyond measure the price of most of the articles of French manufacture, and thus perniciously affected both the rights and interests of the consumers. Some of these obstacles have already been removed; reasonable laws with regard to importation and export, will henceforward conciliate the interests of the consumers and those of the manufacturers; interests which are never conflicting but when the claims on either side are exaggerated. Our cotton manufactures are stated to employ 400,000 persons, and a capital of 100 millions. Those of Rouen have already considerably revived. The linen manufactures of Laval and Bretagne suffered much by the war with Spain, where they found their principal market. Those of silk experienced the same fate. Their produce also passed through Spain to America and the colonies; but that channel was soon closed: Italy alone remained for them. It is true that our own internal consumption of silks increased, but what may we not hope to gain by the renewal of our communications with all Europe? In 1787 the manufactures at Lyons kept at work 15,000 looms; during the late war that number was reduced to 8,000; but Lyons has already received considerable orders, and promises to regain its former prosperity. The manufactures of woollens, leather, &c. suffered in an equal degree from the fatal influence of the continental system, the absurdity of which they strikingly evinced.



## COMMERCE.

Prohibitive laws did still more mischief to commerce than to manufacturing industry; if the difficulty of external communications narrowed the market of our manufactures, in that at least which remained open to them, they had nothing to fear from the competition of foreign articles; and though this might injure the interests of the consumers, at least a certain class of citizens seemed to profit by it. But commerce requires a more extensive and unimpeded field. Reduced to narrow and slightly gainful speculations, whenever it attempted to enlarge them, it found itself the slave of the uncertainties of a Government which wished to subject it to its caprices and calculations. The system of licenses ruined and discouraged a great number of merchants, by raising hopes that were destroyed in a moment, by the will which had fostered them. Speculations, necessarily hazardous, require that the stability of laws should aid the prudence of men; but that abrupt and perpetual change from the system of licenses to a system absolutely prohibitive, caused immense losses to commerce. What tranquillity also could the merchants enjoy, who saw in the Government a rival as greedy as powerful, and always determined to reserve for itself the exclusive cultivation of a field which it interdicted to them? A long peace, and stable and liberal laws, can alone inspire mercantile men with sufficient confidence to embark, without apprehension, in their useful pursuits. If we pass to the objects depending on the Ministry of the Interior, and immediately subject to the Government, their situation will appear still more deplorable.

## GENERAL ADMINISTRATION OF THE INTERIOR.

The Budget of the Ministry of the Interior, that is, the mass of all the funds appropriated to the different services of that department, amounted—

In 1811..... to ..... 143 millions.

In 1812..... to ..... 150 millions.

In 1813..... to ..... 140 millions.

The public Treasury never contributed to this mass of funds more than 58, 59, or 60 millions. The remainder arose from special duties and imposts. Here the Report states, that additional centimes on the general contribution were imposed for roads, prisons, canals, barracks, administration expenses, tribunals, buildings, public worship, depots of mendicity, &c. Thus the departments paid at an average 45 centimes additional per franc, some 62, and others even 72. But even these were not regularly given out by the treasury for public works, &c. Hence in the two years 1812 and 13, sixty millions were taken from the administration expenses, and the provinces, impoverished by additional imposts, enjoyed only a small part of those establishments, constructions, or other public works of utility, the hope of which had at least alleviated the weight of their sacrifices. The Report next proceeds to give a variety

of details on the subject of the administration of Communes and of Hospitals. The Communes had been successively charged with expenses which should have been borne by the general funds of the State, or by the departmental funds; of this kind were the salaries of commissaries of police, military buildings and beds; depots of mendicity, prisons, &c. Hence the scale of communal *actrais* had vexatiously increased: the medium charge per head on every inhabitant was about 7 francs, 24 cents, and in some cities it even amounted to 17 francs, 33 cents. On the subject of hospitals, it is mentioned that a decree of the 19th of Jan. 1811, allowed only four millions for the expenses of founding hospitals throughout the kingdom, though that expense now amounted annually to nine millions. The War Department owed at present to the hospitals at Paris, for sick and wounded soldiers alone, the sum of 1,393,365 francs. The medicines were besides exhausted; the reserve stores for lint, furnishings, &c. were either wasted or lost; the amount of these losses could not be calculated, but might be estimated at several millions.

## PUBLIC WORKS.

Great enterprises had been undertaken; some from motives of real utility, many from ostentation, or from views in which the happiness of France had no share. While magnificent roads were opened on our frontiers, those of the interior were neglected; and the cross-roads, abandoned by the communes which had not funds to support them, were very much deteriorated. The sum of 15,500,000 francs, voted by the departments for the roads, had been misappropriated. There was an arrear of 28 millions in the department of bridges and causeways; and yet this service would be charged with all the extraordinary expenses occasioned by the disasters of the last campaign; thirty principal bridges had been blown up or burnt: provisional repairs in wood alone would cost 1,800,000 francs. The extent of the mischief was not yet known. The canals are in a better state, but the works far from finished. That of Burgundy, which has already cost 12 millions, will require five more; and that of the Ourcq, undertaken on too extensive a scale, will yet want at least 18 millions. The canal of Burgundy, as well as that of St. Quentin, deserve praise. The works at Paris were a particular object of the cares of Government, because in them it found the means of parading a great magnificence, and of rendering itself popular. Some of them, particularly those of the public markets, will be truly useful. The works for the embellishment of the capital, though of a less useful description, will not be abandoned: the total expense of them is estimated at 55,400,000 francs, and more than 24 millions have already been laid out on them.—All these objects fall under the superintendence of the Minister of the Interior, the arrears of



whose department are not yet ascertained, but are computed at from 40 to 50 millions.

#### WAR MINISTRY.

With regard to the expenditure of this department, we can only present an approximation. Here was the root of the evil: hence originated the disorder which extended to all the other branches; and the disasters of the three last campaigns have plunged this department, already so complicated, into a complete chaos.—On the 1st of May last the land forces of France amounted to more than 520,000 men, including gens-d'armes, veterans, invalids, and cannoniers, guarding the coasts.—Besides this force, there are 122,597 military of all ranks enjoying half pay. 160,000 prisoners are returning to us from Prussia, Austria, England, and Russia. The Staff of the army, including engineers, inspectors, commissaries, &c. amounts to 1874 individuals.

The pay, &c. of men in active service	
for 1814, amounts to	202,000,000
Half-pay, &c. to	31,000,000

Total 236,000,000

The war of 1812 and 1813 destroyed, in artillery and ammunition, a capital of 250 millions: and the fortified places in the countries ceded by France had, since 1804, cost her 115 millions. The Budget of the War Ministry, properly so called, had been fixed under all heads, for 1814, at 360 millions.—But, in consequence of a division which had existed some years, there was, besides the department of the Ministry at War, that of the war administration. The expenses of this last were in 1812, 238,000,000 francs; in 1813, 374,000,000; and in 1814 they will be 350,000,000; which last sum will, for 1814, occasion a total expense, in these two branches, of 740 millions. The arrear also of these two branches is enormous: that of the ministry at war amounts, according to present statements, to 104,000,000! and that of the war administration to 157,000,000, making a total arrear of 261 millions. But these statements are not yet complete: the arrears of the armies, during the years 1811, 12, 13, and 14, are still unknown. Neither do they include a sum of 100 millions, *ordonned* by the two Ministers, which they no longer reckon their debt, but which the Treasury has not been able to pay. We must add, also, to the expenses occasioned by the war, the requisitions of which we have already spoken, the expense of the guards of honour, and of the officers of mounted and equipped horsemen. The expense of the two latter heads, for the departments of Old France, may be estimated at 15,611,000 francs.

#### MINISTRY OF THE MARINE.

The navy has during 24 years been weakened, by the very means which have been taken to give it the appearance of strength. To make on all our coasts the display of a factitious power, to appear to meditate gigantic projects, while the means of accomplishing them were insufficient, even through

their exaggeration, to look on our seamen as recruits for the armies, was the system of the Government—a system which has led to the annihilation of the population of our coasts, and the complete exhaustion of our arsenals. The remonstrances of the most enlightened men, and of the most experienced mariners, and the evidence of facts, were incapable of checking those foolish enterprizes, those violent measures, which belonged to a plan of domination oppressive in all its parts. Thus in 1804 the projected invasion of England was pompously announced. Ports, which had never yet been entered, except by fishing-boats and packets, were immediately converted into vast maritime arsenals; immense works were commenced on a beach, which the winds and tides were incessantly covering with sand; forts, batteries, magazines, workshops, were erected; thousands of ships were built and bought up on all the coasts of the ocean, and in the interior of the rivers, without considering how they should get to the place of rendezvous: Paris itself saw a dock-yard formed within its walls; and the most valuable materials were employed in the construction of these vessels, which were not even fit for their destination. And what now remains of all these armaments. The wreck of some of the vessels, and accounts which prove, that for the successive creation and destruction of this monstrous and useless flotilla, upwards of 150 millions have been sacrificed since 1803. All that could be done by the talents of the engineers and the perseverance of the sailors, was done on the Scheldt. A numerous squadron manœuvred safely in this river, which was thought inaccessible to large ships of war; but this success would not satisfy the pride of power.—The sides of the Scheldt were immediately covered with dockyards, which all the neighbouring forests would not have supplied, if the building had been carried on with the activity with which it began. It was in vain represented that a severe winter would change the position of the sand banks, and make the river impassable to ships of the first class—that at the approach of the ice the crews would be shut in the basins, where all that the most skilful officers could teach them in the summer would be forgotten.—Nothing was listened to, and the treasure of France was lavished on an object which it was impossible to accomplish. It is known by experience that the use of stores is most economical where vessels of all sizes are built in one place; yet, under pretence of giving employ to naval artificers, and of working the wood on the spot where it was procured, ships were built in ports without any roads or safe anchorage, exposed during the winter to danger from the floats of ice, or having bars which could not be passed without difficulty and danger; from these ill-judged prospects, the expence of the superintending officers was necessarily increased. The great works at Cherbourg, and the fine squadron at Toulon, are the



only good results from a system in which besides there was nothing but weakness and improvidence. All our arsenals are completely dilapidated—the immense naval stores collected by Louis XVI. are squandered—and during the last fifteen years France has lost, in ill-judged expeditions, 43 ships of the line, 82 frigates, 76 corvettes, and 62 transports and packets, which could not be replaced at an expense of 200 millions. The port of Brest, the finest and best in Europe, and where there were vast and magnificent establishments, has been entirely neglected. Not only are the arsenals exhausted and unprovided with stores, but the ships are still more unprovided with good sailors. The loss of our colonies, the measures which oppressed commerce, the reverses experienced by our fleets, and the vexations exercised on our fisheries, would of themselves suffice to extinguish our maritime population, but the measure by which the last Government gave the crews of ships the organisation of regiments, pronounced the sentence of its absolute destruction. Many of these bodies supported in the plains of Germany and in the mountains of the Asturias, the lustre of the French arms, but they lost in the field the habits of the sea. Though the desire of glory might reconcile the officers to it, this method of life was most repugnant to the habits and taste of the sailors, and above all, tended to keep them in a celibacy most destructive to the maritime force of the kingdom. It is, therefore, absolutely necessary to put an end to this system. The total debt of the marine is 61,500,000 francs.

#### MINISTRY OF FINANCE.

The Exposé of this Department is an explanation of the situation of the other Ministries. Before we give the general results, we shall explain by what means the old Government contrived to hide them. The old system bears at first the appearance of order and exactness. Before the commencement of each year, the Ministers of Finance collected the demands of the other Ministers for the expences of the year, to form his budget of expences. On the other hand, from the state of the produce of the taxes, he formed the budget of receipts. These two tables being balanced against one another, composed the general budget of the State, and seemed to promise, that by realising all the revenues, all the expences might be provided for. But this equilibrium was fictitious, both budgets being distorted by inexactness and falsehood. The funds which were termed special, amounting to above 100 millions of francs yearly, were not put in the budget, and many extraordinary expences were not placed under the head of any Ministry. The expence of the war was estimated much below its real amount. One conscription or more was raised in the course of the year, equipments, stores or works were ordered, without a proportional augmentation in the

supplies. The receipts became thus insufficient, and considerable arrears were created.—The estimated produce of the taxes, as stated in the budget, was for the most part eventual or exaggerated. Thus the budgets of 1812 and 1813 present deficit of a 312,032,000 francs.—The head of the Government was not ignorant of these deficits, but he was always in the hope of covering it either by those foreign tributes, which were the fruit of his first campaigns, or by drawing from the resources of the Special Fund in the *Domaines Extraordinaires*, in the *Caisse D'Amortissement*, in the *Caisse de Service*, &c. Thus is it that all the funds not destined to the service of the war have been, in fact, employed in it. Thence proceeds that arrear in the finances which we shall proceed to detail.

1. There has been taken from the Special Funds, and employed in the service of the Budget 53,580,900 fr.

2. There has been anticipated in the Caisse du Domaine et de la Couronne 237,550,000 fr.

3. The Caisse de Service has advanced and consumed 162,014,000 fr.

4. There has been abstracted from the Caisse d'Amortissement 275,825,000 fr.

5. Add to these sums the arrears existing in the expences, at the particular charge of the Ministry of Finance, since the payment had been delayed, or refused only because their funds had been otherwise employed. This arrear, comprising twelve millions of francs of half pay, due and not paid, amounts to 77,500,000 fr.

Thus the total anticipation and mis-application of funds by the old Government amounts to 805,469,000 fr.

If we add to this sum the arrears of the different Ministries which are not yet exactly known, but which may be taken at 500,000,000 francs, the sum total of anticipations and arrears is 1,305,469,000 francs.—If we also add the creation of 17 millions of perpetual rents, representing a capital of 340,000,000, of which half indeed was applied to the payment of debts anterior to the year 8, there will result as the total of the increase of the debts of the State in the course of 13 years, the sum of 1,645,469,000 francs. This calculation is doubtless terrifying, but we must not look on the evil as irremediable. The Minister of Finances will explain to you what are the sums immediately requisite, those to be required at distant periods, and those which resolve themselves into a change of interest only. For us, called on simply to present you the Exposé of the present situation of the kingdom, we have confined ourselves to this painful task, we have dissembled nothing. The details will shew you at once the evil and its remedy. You will see the force of life always active, which has supported France amidst all its losses, you will see the resources which have struggled against disasters ever springing up anew, and you will wonder to behold so fertile, and so well cultivated, those fields which have so



long been exposed to all kinds of devastation. Though terrified by the debt of the Government, you will see in the hands of individuals capitals ready for useful undertakings; and far from despairing of the prosperity of France, you will see from what she has supported in calamity, the flourishing state to be expected under a beneficent Government. But the cares of the Government shall not be confined to the re-establishment of a prosperity purely material. Other sources of happiness and glory have been cruelly attacked. Morality, more than public wealth, has not escaped from the fatal influence of a bad Government. That which has just been put an end to, completed the evils which the Revolution had caused: it re-established religion merely to make it an instrument for its own purposes. Public instruction submitted to the same dependence, was not answerable to the efforts of the respectable body which directed it. These efforts were opposed by a despotism which wished to rule the minds of all, in order to enslave their bodies without resistance.—The national education must take a more liberal course, to maintain itself on a level with the information common in Europe, by returning to principles now long forgotten amongst us. Unhappily we cannot also restore at once to France those moral habits, and that public spirit, which cruel misfortunes and long oppression have there almost annihilated! Noble sentiments were opposed, generous ideas were stifled, the Government, not content with condemning to inaction the virtues which it dreaded, excited and fomented the passions which could do it service; to suppress public spirit, it called personal interest to its aid: it offered its favours to ambition, in order to silence conscience; it left no other state but that of serving it, no other hope but those which it could alone fulfil; no ambition appeared indiscreet, no pretension exaggerated; hence that incessant agitation of all interests and of all wishes: hence that instability of situation which left hardly any man the virtues of his condition, because all thought only of emerging from it; hence, in fine, incessant attacks upon every kind of probity by seductions against which the most generous characters could hardly defend themselves. Such were the melancholy effects of that corruptive system which we have now to combat. The difficulties of the moment are great, but much may be expected from time: the nation will feel that its zealous concurrence is necessary to hasten the return of its own happiness; its confidence in the intentions of its King, the lights and wisdom of the two Chambers, will render the task of Government more easy. If any thing can prevent the speedy realization of these hopes, it will be that restless turbulence which wishes to enjoy without delay, the blessings of which it has the prospect. While regret-

ting the benefits which must still be waited for, let us enjoy those which are offered to our acceptance: already peace re-opens our ports; liberty restores to the merchant his speculations, and to the mechanic his labours; every one sees the end of his calamities. Can we be indifferent to this future repose, after having so long lived amidst storms and alarms? You, Gentlemen, will not be insensible to this consideration. The King confides equally on his people and their Deputies, and France expects every thing from their generous agreement. What more fortunate circumstance than that of an Assembly which has deserved so well of its country, and a King who is desirous of being its father! Enjoy, Gentlemen, this fortunate re-union; see what France expects from it, what you have already done for it; let these happy commencements encourage you in your career, and may the gratitude of your latest descendants be at once your emulation, your glory, and your recompense.

The PRESIDENT.—The Chamber of Deputies ordains that this *Expose* shall be printed and distributed, at the rate of six copies to each member.

THE POLITICAL CONSTITUTION OF THE SPANISH MONARCHY. PROMULGATED IN CADIZ, THE NINETEENTH DAY OF MARCH, 1812.

(Continued from the Register of July 2.)

Article 171. In addition to the prerogative of sanctioning and promulgating the laws, the King possesses many other rights and powers; such as—1st, Publishing such decrees, directions, and instructions, as may appear likely to contribute to the due execution of the laws; 2d, Taking care that justice may be promptly and effectually administered throughout the kingdom; 3d, To declare war, and make and ratify peace; laying, afterwards, authentic documents of the same before the Cortes; 4th, To nominate, by and with the assistance of the council of State, all civil and criminal magistrates; 5th, To appoint all civil and military officers;—6th, To present, by and with the advice of the council of State, to all bishopricks, ecclesiastical benefices, and dignities; 7th, To bestow honours and distinctions on all classes, within the limits of the laws; 8th, To command the navy and army, and appoint the generals; 9th, To dispose of the forces, distributing them according to his judgment; 10th, To nominate ambassadors, ministers, and consuls, and direct the commercial and diplomatic relations with other States; 11th, To regulate the coinage of money, on which shall be impressed his image and name;



12th, To decree the application of funds, to answer the demands of each branch of the public administration; 13th, To pardon criminals, consistently with the laws; 14th, To submit, for the consideration of the Cortes, such laws, or reforms, as may appear to him beneficial to the nation, in order to their being deliberated on, according to the prescribed form; 15th, To detain, or permit to be published, with the consent of the Cortes, the decrees of the councils, or pontifical bulls; advising, should they be of general tenour, with the council of State, as to their influence upon affairs of State, or of material consequences; and, should they appear of doubtful tendency, turning them over to the supreme tribunal of justice, to be proceeded upon according to law; 16th, To appoint, and grant, liberal allowances to the different secretaries of State.—172. The restrictions upon the regal authority are as follows: 1st, The King, under no pretext whatsoever, can prevent the meeting of the Cortes, at the times, or under the circumstances, directed by the Constitution; nor suspend nor dissolve them; nor, in any way whatsoever, check nor embarrass their deliberations. Those who are guilty of advising him to, or assisting him in, any of these acts, shall be punished as traitors: 2d, The King shall not leave the kingdom, without the consent of the Cortes; and, in case of so doing, shall be considered to have abdicated the throne: 3d, The King cannot renounce, yield, deliver up, or make over, to any other person, the royal authority, or any of its prerogatives: 4th, If, under any pretence whatsoever, he may wish to abdicate the throne in favour of the lawful heir, he cannot do it without the consent of the Cortes; he cannot grant, yield up, or exchange, any city, town, village, or part of the Spanish territory, however small it may be: 5th, He cannot make any offensive or defensive alliance, or special treaty of alliance or commerce, with any foreign power, without the consent of the Cortes: 6th, Neither can he bind himself, by any treaty, to subsidize a foreign State, without their consent: 7th, He cannot cede or make over the national property without consent of the Cortes: 8th, He cannot, without a previous decree of the Cortes, directly or indirectly, impose contributions, or make loans, under any name or for any object whatsoever: 9th, Neither can he grant any exclusive privi-

lege to any person or corporation: 10th, He cannot dispossess any corporation or individual of their property; neither can he disturb them in the enjoyment or direction and profit of it; and if, in case of necessity, for the general advantage of the public good, it should be required to convert that of an individual for a particular object, it cannot be done without a full indemnification, by just valuation of respectable persons: 11th, The King cannot punish, in any manner whatsoever, or deprive any individual of his liberty, under any pretence; the secretary of State who signs, and the judge who executes the order shall be responsible to the nation; and, in such case, punished as criminals against civil liberty: 12th, Only in case of treason, or any attempt against the security of the State, can the King give directions for personal arrests; and even then the offender must be delivered up, to a competent tribunal, within forty-eight hours:—13th, Before marriage, the King shall advise the Cortes, to obtain their consent; in default of which he shall be understood to have abdicated the throne.—173. On the King's accession to the throne, or, if he should be under age, when his Government begins, he shall make oath before the Cortes according to the following form:—I, N., by the grace of God, and the Constitution of the Spanish Monarchy, King of all Spain, do swear before God and the holy Evangelists, that I will defend and preserve the Catholic Apostolic Roman Religion, without permitting the exercise of any other, throughout the kingdom: that I will observe, and cause to be observed, the laws, and political constitution of the Spanish monarchy, doing and acting, in all things, only for their good and benefit: that I will not make over, yield, or dismember any part of the kingdom: that I will never exact contributions, money, or any other thing, without it shall have been decreed by the Cortes; that I will respect private property, and, above all, the civil liberty of the nation; and rights of every individual: and if, to what I have now sworn, or any part of it, I should be found to act contrary, such act shall be null, void, and not be obeyed. If thus I do, may God reward and protect me; if not, may it be at my own peril.—174. The kingdom of Spain is indivisible from the period of the promulgation of this, the crown shall descend, in regular order, by right of primogeniture and re-



presentation, through the legitimate heirs, male and female, of the lines to be hereafter pointed out.—181. The Cortes shall exclude from the succession, any person or persons who may be incapable of governing, or who, by any act or deed, may have deserved to forfeit their right to the same.—182. In case of the extinction of the lines before mentioned, the Cortes shall make such nomination as may appear to them best calculated to insure the national prosperity; following, as much as possible, the rules established for the succession.—185. The King is under age until the completion of his eighteenth year.—186. During the King's minority, the kingdom shall be governed by a Regency.—187. The same alternative shall be resorted to, when the King, by any moral or physical cause, may be rendered incapable of governing.—195. The Regency shall exercise the royal authority, under the restrictions ordered by the Cortes.—213. The Cortes shall fix the annual revenue for the support of the King's household, which shall correspond with the dignity of his situation.—214. To the King shall belong all the royal palaces which appertained to his predecessors; and the Cortes shall grant what land they may consider necessary for his personal recreation.—226. The principal secretaries of state shall be responsible for every order they may thus authorise; and, in case of acting contrary to the laws, having committed it by the King's orders shall be no vindication.—227. The secretaries of state shall make an annual estimate of the public expenditure requisite for their branches of administration, and deliver in a return of those which have been incurred, according to the form directed.—231. There shall be a council of state, composed of forty persons, who must be citizens, in the exercise of their rights; excepting foreigners, who shall not be eligible, although possessed of letters of citizenship.—236. The council of state is the only one with which the King shall advise, on matters of importance in the state; such as, to decide on a proposed act of the Cortes, declare war, form alliances, &c.

*Chap. V. Of the Tribunals, and Administration of Civil and Criminal Justice.*

—Art. 242. To the tribunals appertain, exclusively, authority to administer justice in civil and criminal causes.—243. Neither the King nor the Cortes can, under any

circumstances, exercise the judicial authority, advocate a pending trial, or command a cause to be rejudged.—244. The laws shall direct a general form and order of trial, to be followed by all the tribunals, which neither the King nor Cortes can dispense with nor change.—245. The tribunals shall exercise no other function than that of judging and causing their judgments to be carried into execution.—246. Neither can they, for the administration of justice, suspend any law, or form new ones.—247. No Spaniard can, either in civil or criminal causes, be tried by any commission, or any other than the competent tribunal, established by an anterior law.—248. In common causes, civil and criminal, there shall be but one form of trial, for all classes of persons.—249. Ecclesiastics shall continue in the enjoyment of their privileges, as far as the present law may prescribe, or future direct.—250. The military shall also enjoy such privileges as the present or future orders may permit.—251. A magistrate, or judge, must be a native of the Spanish dominions, and above twenty-five years of age: the laws shall direct what other qualifications shall be required.—252. A magistrate, or judge, cannot be removed from his situation, whether temporary or perpetual, without he be legally sentenced for some crime, fully proved; nor suspended; but for some accusation legally preferred.—253. If a complaint, against any magistrate, should be preferred to the King, and, upon the case being drawn out, it appear well founded, he may, by and with the advice of the council of state, suspend him; passing the case immediately to the supreme tribunal of justice, to be tried according to law.—254. The responsibility of observing the laws, for civil and criminal justice, shall be attached to judges, who shall be tried for any misapplication of the same.—255. Subornation, prevarication, or corruption, in a magistrate or judge, render him worthy of public trial and punishment.—256. The Cortes shall decree a competent salary for the judges and magistrates.—257. Justice shall be administered in the name of the King; and the acts and deeds of the superior tribunals shall likewise be registered in his name.—258. The civil, criminal, and commercial code of laws shall be the same throughout the kingdom: the Cortes may, from any particular circumstances, make such variations in it as they may deem requisite.